

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

ISRAEL TORRES,) Case No. 5:13-cv-01475-PSG		
Plaintiff, v.	VERDICT FORM		
CITY OF SANTA CLARA and TONY PARKER,)		
Defendants.)		

VERDICT FORM

1	<u>VERDICT FORM</u>	
2	Part A. LIABILITY	
3	Section 1983 Claim – Excessive Force	
4	1. Did Tony Parker use excessive force against Israel Torres?	
5		
6	Yes No	
7	Section 1983 Claim – False Arrest	
8 9	2. Did Parker arrest Torres without probable cause to believe that Torres committed a criminal offense?	
10	Yes No	
11	If your answer to either Question 1 or 2, or both, is "Yes," then please proceed to Question 3. If	
12	your answer to both Questions 1 and 2 is "No," proceed directly to Question 5.	
13	California Civil Code Section 52.1 (Bane Act) Claim	
14	3. Did Parker use threats, intimidation, or coercion to interfere with Torres' right to	
15	be free from excessive force or his right to be free from false arrest?	
16	Yes No	
17		
18	If your answer to Question 3 is "Yes," then please proceed to Question 4. If your answer to Question 3 is "No," proceed directly to Question 5.	
19	4. Was Parker's conduct a substantial factor in causing harm to Torres?	
20		
21	Yes No	
22	Please proceed to Question 5.	
23	Battery Claim	
24	5. Did Torres prove that Parker committed a battery against him?	
25		
26	Yes No	
27	Please proceed to Question 6.	
28		

1	False Arrest/False Impri	sonment Claim			
2	6. Did Parker arrest Torres committed a crime?	s without reasonable cause to believe that Torres had			
3					
4	Yes	No			
5	If your answer to Question 6 is "Yes," the	en please proceed to Question 7. If your answer to			
6	Question 6 is "No," proceed directly to Question 8.				
7	7. Was Parker's conduct a	substantial factor in causing harm to Torres?			
8	Vac	No.			
9	Yes	No			
10	Please proceed to Question 8.				
11	Negligence Claim				
12	8. Was Parker negligent?				
13					
14	Yes	No			
15	If your answer to Question 8 is "Yes," the Question 8 is "No," proceed directly to P	en please proceed to Question 9. If your answer to			
16	9. Was Parker's negligence a substantial factor in causing harm to Torres?				
17	9. Was Farker's negligene	e a substantial factor in causing narm to Torres:			
18	Yes	No			
19	If your answer to Question 9 is "Yes," then please proceed to Question 10. If your answ Question 9 is "No," proceed directly to Part B.				
20					
21	10. Was Torres negligent?	ı			
22					
23	Yes	No			
24	If your answer to Question 10 is "Yes," then please proceed to Question 11. If your answer Question 10 is "No," proceed directly to Part B.				
25	11. Was Torres' negligence a substantial factor in causing his harm?				
26					
27	Yes	No			
28					

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1	If your answer to Question 11 is "Yes," then please proceed to Question 12. If your answer to Question 11 is "No," proceed directly to Part B.				
2	12. What percentage of responsibility for Torres' harm do you assign to:				
3		Parker:	%		
4		Torres:	%		
5		TOTAL:	<u>_100_</u> %		
6	Please proceed to Pa	ırt B.			
7	<u>Part B.</u>	DAMAGES	3		
8	If you answered "Ve	es" to any or al	1 of Questions	1 2 4 5 7 or 9 please	answer the following
9	If you answered "Yes" to any or all of Questions 1, 2, 4, 5, 7 or 9, please answer the following questions. Otherwise, stop here, answer no further questions, and have the foreperson sign and				
10	date this form.				
11				•	by Torres in each category the same harm suffered
12		om multiple cla			
13		Medical Exp	penses:	\$	_
14		Pain and Su	ffering:	\$	_
15		Emotional D	Distress:	\$	_
16		TOTAL:		\$	_
17	14. Did Torres use reasonable efforts to mitigate his damages?		ges?		
18		Vac	_	No.	
19		Yes		No	
				oceed to Question 15. If ns, and have the forepers	Your answer to Question son sign and date this
20	form.	,	1	,	
21			orres' damage	s could have been mitiga	ated by Torres' reasonable
22	eff	Forts?			
23		\$			
24					
25	Dated:				
26				PRESIDING JURO	 R
27	After this verdict fo	ırm has heen s	sioned and dat		at you are ready to present
28	your verdict in the co		nonca una au	, nomy are court that	to prosent
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United States District Court For the Northern District of California

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3	IT IS SO ORDERED.
4	Dated: September 4, 2014
5	Pare S. A PAUL S. GREWAL
6	United States Magistrate
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